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COUNSEL TO THE FIRM

/ CERTIFIED BY THE SUPREME COURT  
OF NEW JERSEY AS A CIVIL TRIAL  
ATTORNEY

+ MEMBER NEW YORK BAR ALSO  
\* MEMBER CONNECTICUT BAR ALSO  
ρ MEMBER PENNSYLVANIA BAR ALSO  
■ MEMBER FLORIDA BAR ALSO  
d MEMBER WASHINGTON, D.C. BAR  
x R. 1-40 QUALIFIED MEDIATOR

Email address: [cfrome@winnebanta.com](mailto:cfrome@winnebanta.com)  
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March 28, 2022

**VIA ELECTRONIC FILING**

William T. Walsh, Clerk  
United States District Court  
District of New Jersey  
M.L. King Federal Building and Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

**Re: Arands v. United Airlines, Inc., et al.**  
**Docket No. OCN-L-2554-21**

Dear Mr. Walsh:

This office represents defendant, United Airlines, Inc., in the above-referenced matter.

Enclosed for filing please find said defendant's Notice of Removal, together with an Application for a Clerk's Extension pursuant to Local Civil Rule 6.1. Also enclosed is an extra copy of all process, pleadings, and Orders served upon the defendant in this action and the Civil Cover Sheet. Please electronically return a filed copy of the within documents to the undersigned.

The \$402.00 filing fee is to be charged to the firm credit card, which number has been entered at the time of filing.



**WINNE BANTA**  
**BASRALIAN & KAHN**  
COUNSELLORS AT LAW

William T. Walsh, Clerk

March 28, 2022

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Thank you for your assistance in this matter.

Very truly yours,

**CAROLYN GERACI FROME**

CGF/lh

encl.

cc: James C. Jensen, Esq. (w/encl.) (Via Lawyers Service)

Carolyn Geraci Frome, Esq.  
**WINNE, BANTA, BASRALIAN & KAHN, P.C.**  
Court Plaza South  
21 Main Street, Suite 101  
Hackensack, New Jersey 07601  
(201) 487-3800  
Attorneys for Defendant,  
United Airlines, Inc.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

---

LUZ STELLA ARANDS,

Civil Action No.

Plaintiff,

- vs -

**NOTICE OF REMOVAL**

UNITED AIRLINES, JOHN DOES 1-  
10, ABC CORP. 1-10,

Defendant.

---

Defendant, United Airlines, Inc., (hereinafter referred to as "United") hereby files this Notice of Removal of the above-entitled action to the United States District Court, for the District of New Jersey, from the Superior Court of New Jersey where the action is now pending, as provided by Title 28, U.S. Code, Chapter 89, and states:

1. United is the only non-fictitious defendant named in the above-entitled action.

2. The above-entitled action was commenced in the Superior Court of New Jersey, Law Division, Ocean County, and is now pending in that Court under Docket No. OCN-L-2554-21. Copies of the Summons and Complaint (which documents constitute all process,

pleadings, and orders served upon United) are attached to this Notice as **Exhibit "A"**. Although the Complaint was filed on October 1, 2021, the Summons and Complaint were not served upon United until March 11, 2022, via United's registered agent, CT Corporation System. A copy of the Service of Process Transmittal from CT Corporation System is annexed as **Exhibit "B"**.

3. A copy of the plaintiff's Complaint, setting forth the claims for relief upon which the action is based, was first received by United on March 11, 2022. This was said defendant's first notice of the subject action.

4. The United States District Court for the District of New Jersey is by law given jurisdiction of the suit.

5. United is now, and was at the time that the state action was commenced, a corporation incorporated under the laws of the State of Delaware, with its principal place of business in the State of Illinois. Plaintiff is a citizen of the State of New Jersey. Although plaintiff filed suit in Ocean County, it should be noted that plaintiff resides in Morris County, New Jersey, and that the subject incident, which alleged occurred on a flight from Newark, New Jersey to Bogota, Colombia, has no nexus to Ocean County.

6. Through her Complaint, plaintiff asserts claims for severe and permanent injuries while aboard United Airlines Flight 1068 on October 2, 2019, when she allegedly fell and was "thrown about the

airplane.” (**Exhibit A**, First Count, ¶¶1,4,7 Complaint). Plaintiff further claims that as a result of the subject incident, she was caused “great pain and suffering, was forced to seek medical aid and attention, was prevented from attending to usual activities and has been left with injuries that will require medical treatment.” (**Exhibit A**, First Count ¶7, Complaint). As such, there is a substantial probability that the amount in controversy potentially exceeds \$75,000, exclusive of interest and costs.

7. Based upon the foregoing, this Court has jurisdiction over this action pursuant to 28 U.S.C. §1332, in that complete diversity of citizenship exists between the plaintiff and the defendant, and there is a substantial probability that the amount in controversy potentially exceeds the sum or value of \$75,000.00, exclusive of interest and costs.

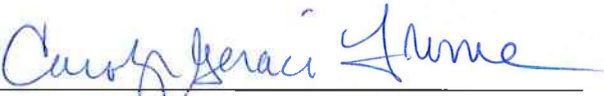
8. United will give written notice of the filing of this Notice, as required by 28 U.S.C. §1446(d).

9. A copy of this notice will be filed with the Clerk of the Superior Court of New Jersey, as required by 28 U.S.C. §1446(d).

**WHEREFORE**, defendant, United Airlines, Inc., requests that

this action proceed in this Court as an action properly removed to  
it.

WINNE, BANTA, BASRALIAN & KAHN, P.C.  
Attorneys for Defendant,  
United Airlines, Inc.

By:   
CAROLYN GERACI FROME

Dated: March 28, 2022

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of this Notice of Removal has been served, via electronic mail, upon Clerk, United States District Court, District of New Jersey, M.L. King Federal Building and Courthouse, 50 Walnut Street, Newark, New Jersey 07101; and, via Lawyers Service, upon Clerk, Superior Court of New Jersey, Ocean County, Law Division, 120 Hooper Avenue, Toms River, New Jersey 08753; and, via Lawyers Service, upon James C. Jensen, Esq., Laufer, Dalena, Jensen, Bradley & Doran, L.L.C., 23 Cattano Avenue at Chancery Square, Morristown, New Jersey, 07960, attorneys for plaintiff.

  
**CAROLYN GERACI FROME**

Dated: March 28, 2022

# **EXHIBIT A**



**James C. Jensen, Esquire**  
**Attorney ID Number: 026421985**  
**LAUFER, DALENA, JENSEN, BRADLEY & DORAN, L.L.C.**  
**23 Cattano Avenue at Chancery Square**  
**Morristown, New Jersey 07960**  
**Tel: 973) 285-1444**  
**Fax: (973) 285-0271**  
Attorneys for Plaintiff

LUZ STELLA ARANDS,  
  
Plaintiff,

vs.

UNTITLED AIRLINES, JOHN DOES 1-10,  
ABC CORP. 1-10,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
OCEAN COUNTY

DOCKET NO. OCN-L-2554-21

Civil Action

SUMMONS

**The State of New Jersey, to the Above Named Defendant(s):**

*YOU ARE HEREBY SUMMONED in a Civil Action in the Superior Court of New Jersey, instituted by the above named plaintiff(s), and required to serve upon the attorney(s) for the plaintiff(s), whose name and office address appears above, an answer to the annexed complaint within thirty-five (35) days after the service of the summons and complaint upon you, exclusive of the day of service. If you fail to answer, judgment by default may be rendered against you for the relief demanded in the complaint. You shall promptly file your answer and proof of service thereof in duplicate with the Morris County Courthouse, Washington Court Streets, Morristown, New Jersey 07960, in accordance with the rules of civil practice and procedure.*

*If you cannot afford to pay an attorney, call a Legal Services Office. An individual not eligible for free legal assistance may obtain a referral to an attorney by calling a county lawyer referral service. These numbers may be listed in the yellow pages of your phone book or may be*

*obtained by calling the New Jersey State Bar Association Lawyer Referral Service toll-free 1-800-792-8315 (within New Jersey) or 609-394-1101 (from out of State). The phone numbers for the county in which this action is pending are attached hereto.*

*DATED: March 9, 2022*

*Michelle M. Smith/jv*

*MICHELLE M. SMITH, CLERK  
Superior Court of New Jersey*

*Name of Defendants to be served:*

*United Airlines  
c/o CT Corporation System*

*Address for Service:*

*400 E Court Avenue  
Des Moines, IA 50309*

**James C. Jensen, Esquire**  
**Attorney ID Number: 026421985**  
**LAUFER, DALENA, JENSEN, BRADLEY & DORAN, L.L.C.**  
**23 Cattano Avenue at Chancery Square**  
**Morristown, New Jersey 07960**  
**Tel: 973) 285-1444**  
**Fax: (973) 285-0271**  
Attorneys for Plaintiff

LUZ STELLA ARANDS,  
  
Plaintiff,

vs.

UNITED AIRLINES, JOHN DOES 1-10,  
ABC CORP. 1-10,  
  
Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
OCEAN COUNTY

DOCKET NO. FM-

Civil Action

COMPLAINT AND JURY DEMAND

Plaintiff, Luz Stella Arands, residing at 206 Justin Court in the Township of Cedar Knolls, County of Morris, State of New Jersey, by way of complaint against the Defendants, United Airlines, John Does 1-10, ABC Corp. 1-10, hereby says:

**FIRST COUNT**

1. On or about October 2, 2019, Defendants, United Airlines, was a commercial airline company, who engaged in air transportation of passengers, for commercial profit. On or about October 2, 2019 Defendants owned, maintained, supervised, ran, flew, designed, controlled, operated, and were otherwise responsible for flying passengers on an airplane controlled by United Airlines, on flight UA 1068.

2. On or about October 2, 2019, Defendant, United Airlines, and/or ABC Corp., and John Does 1-10, were partners in or associated with the aforesaid entities and activities, and who were agents, servants and/or employees of any of the aforesaid defendants acting in the scope and court of their employment.

3. At all times mentioned herein, Defendants had a duty to use reasonable care in the operation of their airline and airplanes, so that the flights would be reasonably safe for the public and other persons lawfully on the airplane and to maintain the airplane free of dangerous conditions capable of causing injury to those persons lawfully on the airplane.

4. On or about October 2, 2019, Plaintiff, Stella Luz Arands, was lawfully on the airplane. Ms. Arands had paid a financial sum in order to be transported on United Airlines flight 1068. In fact, on October 2, 2019, the Plaintiff, Stella Luz Arands, was in a first-class seat which, according to United Airlines, was a safer and more comfortable airline experience. On or about October 2, 2019, Plaintiff was lawfully on the airplane, and was caused to be injured, by the negligence of the Defendants, in that the Defendants failed to maintain the airplane in control, failed to properly supervise the airplane, and failed to train personnel to properly operate the airplane, thus causing the Plaintiff to fall and be thrown about the airplane, and causing injuries to the Plaintiff due to the negligence of the Defendants.

5. It was reasonably foreseeable that such conditions could exist creating a hazardous and dangerous condition and the Defendants, personally and through their agents, servants and employees, or in the exercise of reasonable care, should have known of the aforesaid dangerous and hazardous conditions.

6. Defendants negligently, carelessly and/or recklessly designed, constructed, supervised, operated, owned, maintained, supervised, ran, flew, designed, controlled and/or operated their airline, so as to create and/or allow a dangerous condition to exist.

7. As a direct and proximate result of the aforesaid negligence of the Defendants, Plaintiff was caused to sustain severe and permanent personal injuries, undergo great pain and suffering, was forced to seek medical aid and attention, was prevented from attending to usual activities and has been left with injuries that will require medical treatment.

**WHEREFORE**, Plaintiff hereby demands judgment against all Defendants both jointly, severally, concurrently and individually for damages, interests, costs of suit, attorneys' fees and such other relief that the Court may deem just and equitable.

**JURY DEMAND**

Plaintiff hereby demands a trial by Jury as to all issues raised herein.

**TRIAL ATTORNEY DESIGNATION**

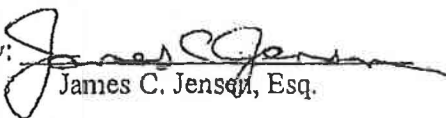
James C. Jensen, Esq. is hereby designated as trial counsel for the Plaintiff.

**CERTIFICATION PURSUANT TO R. 4:5-1**

The undersigned hereby certifies, upon information and belief, that the matter in controversy is not related to any other matter in litigation or arbitration at this time, that no other actions or arbitration proceeding is contemplated and that there are no other parties known at this time that should be joined in the within action.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

LAUFER, DALENA, JENSEN  
BRADLEY & DORAN, LLC  
Attorneys for Plaintiff

By:   
James C. Jensen, Esq.

Dated: October 1, 2021

## Civil Case Information Statement

### Case Details: OCEAN | Civil Part Docket# L-002554-21

Case Caption: ARANDS LUZ VS UNITED AIRLINES  
Case Initiation Date: 10/01/2021  
Attorney Name: GREGORY DAVID RICE BEHRINGER  
Firm Name: LAUFER DALENA, JENSEN, BRADLEY, &  
DORAN, LLC  
Address: 23 CATTANO AVE  
MORRISTOWN NJ 07960  
Phone: 9732851444  
Name of Party: PLAINTIFF : Arands, Luz, S  
Name of Defendant's Primary Insurance Company  
(if known): Unknown

Case Type: PERSONAL INJURY  
Document Type: Complaint with Jury Demand  
Jury Demand: YES - 12 JURORS  
Is this a professional malpractice case? NO  
Related cases pending: NO  
If yes, list docket numbers:  
Do you anticipate adding any parties (arising out of same  
transaction or occurrence)? NO  
Are sexual abuse claims alleged by: Luz S Arands? NO

### THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual  
management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the  
court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

10/01/2021  
Dated

/s/ GREGORY DAVID RICE BEHRINGER  
Signed

# **EXHIBIT B**



**Service of Process  
Transmittal**

03/11/2022

CT Log Number 541207371

**TO:** Maria Bustamante, Paralegal-Litigation  
United Airlines, Inc.  
609 MAIN STREET, 16TH FLOOR/HSCPZ  
HOUSTON, TX 77002-3167

**RE: Process Served in Iowa**

**FOR:** United Airlines, Inc. (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

<b>TITLE OF ACTION:</b>	Re: LUZ STELLA ARANDS // To: United Airlines, Inc.
<b>DOCUMENT(S) SERVED:</b>	-
<b>COURT/AGENCY:</b>	None Specified Case # OCNL00255421
<b>NATURE OF ACTION:</b>	Medical Injury - Improper Care and Treatment
<b>ON WHOM PROCESS WAS SERVED:</b>	C T Corporation System, Des Moines, IA
<b>DATE AND HOUR OF SERVICE:</b>	By Process Server on 03/11/2022 at 12:04
<b>JURISDICTION SERVED :</b>	Iowa
<b>APPEARANCE OR ANSWER DUE:</b>	None Specified
<b>ATTORNEY(S) / SENDER(S):</b>	None Specified
<b>ACTION ITEMS:</b>	CT has retained the current log, Retain Date: 03/11/2022, Expected Purge Date: 03/16/2022  Image SOP  Email Notification, Tom Campuzano thomas.d.campuzano@united.com  Email Notification, Maria Bustamante maria.bustamante@united.com
<b>REGISTERED AGENT ADDRESS:</b>	C T Corporation System 400 East Court Avenue Des Moines, IA 50309 866-331-2303 CentralTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.